

Practitioner's Docket No. 1408/6  
Serial No. 10/594,826

CHAPTER II
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IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/CA05/00472	30 March 2005 (30.03.05)	30 March 2004 (30.03.04)
International Application No.	International Filing Date	Priority Date Claimed

METHOD FOR TREATING AUTOIMMUNE DISEASES WITH ANTIBODIES

Title of Invention

Lazarus et al.

Applicant(s)

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: EO/US

COMPLETION OF FILING REQUIREMENTS  
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE  
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

DECLARATION OR OATH

EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date July 17, 2007 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EM016354893US.

Stacie H. Boswell

Date: July 17, 2007

Stacie H. Boswell  
Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing, 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

- I. The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

#### EXTENSION OF TIME

- II. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### FEES

- III. 1. Surcharge fees

Surcharge for filing the oath or declaration later than thirty months from the priority date pursuant to § 1.495(c):

\$130.00

**Total Fees**

**\$130.00**

#### TOTAL FEE DUE

- IV. The total fee due is:  
Completion fee(s)

\$130.00

**TOTAL FEE DUE \$130.00**

#### PAYMENT OF FEES

- VI. A check in the amount of \$130.00 is enclosed herewith and the Commissioner is hereby authorized to charge any additional fees required by this paper or credit any overpayment to Deposit Account Number 50-0426.

Date: 07/17/2007

Reg. No.: 39,395  
Tel. No.: 001-919-493-8000  
Customer No.: 25297

  
\_\_\_\_\_  
Signature of Practitioner

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07/20/2007 GFREY1 00000047 10594826  
01 FC:1617 130.00 0P



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/594,826	Alan H. Lazarus	1408/6

INTERNATIONAL APPLICATION NO.	
PCT/CA05/00472	
I.A. FILING DATE	PRIORITY DATE
03/30/2005	03/30/2004

25297  
JENKINS, WILSON, TAYLOR & HUNT, P. A.  
SUITE 1200, UNIVERSITY TOWER  
3100 TOWER BOULEVARD  
DURHAM, NC 27707

CONFIRMATION NO. 8325  
371 FORMALITIES LETTER



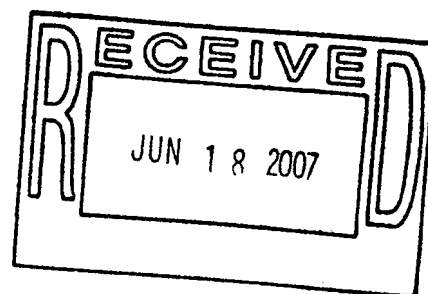
\*OC000000024349016\*

Date Mailed: 06/14/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/28/2006
- Copy of the International Search Report filed on 09/28/2006
- Preliminary Amendments filed on 09/28/2006
- Information Disclosure Statements filed on 10/23/2006
- Oath or Declaration filed on 09/28/2006
- Request for Immediate Examination filed on 09/28/2006
- U.S. Basic National Fees filed on 09/28/2006
- Priority Documents filed on 09/28/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity

Initial: 8/14/07  
DOCKET DATES: 8/14/08  
ASSIGNED ATTY: AAT  
FILE NO. 1408/6  
DOCKETED BY: CMB DATE: 6/19/07

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/594,826	PCT/CA05/00472	1408/6

FORM PCT/DO/EO/905 (371 Formalities Notice)